



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.             | CONFIRMATION NO.            |
|---|-------------|----------------------|---------------------------------|-----------------------------|
| 09/504,159  | 02/15/2000  | Lalitha Vaidyanathan | 1018-001US01                    | 7527                        |
| 28863   | 7590        | 02/27/2008           |                                 |                             |
| SHUMAKER & SIEFFERT, P. A.<br>1625 RADIO DRIVE<br>SUITE 300<br>WOODBURY, MN 55125 |             |                      | EXAMINER<br>MOONEYHAM, JANICE A |                             |
|   |             |                      | ART UNIT<br>3629                | PAPER NUMBER                |
|   |             |                      | NOTIFICATION DATE<br>02/27/2008 | DELIVERY MODE<br>ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@ssiplaw.com

UNITED STATES PATENT AND TRADEMARK OFFICE

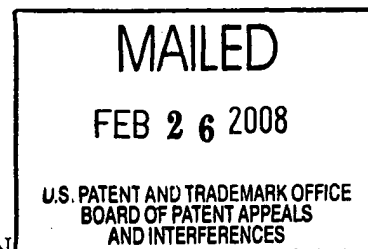
---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

Ex parte: LALITHA VAIDYANATHAN, JOHN QUINN,  
AHMED KHAISHGI AND CARA CHERRY

---



Application No. 09/504,159

---

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

---

This application was received at the Board of Patent Appeals and Interferences on February 14, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

**EXAMINER'S CONSIDERATION OF REPLY BRIEF**

A Reply Brief was filed in this application on February 5, 2007. There is no evidence on the record indicating that the examiner has considered the Reply Brief in accordance with 37 CFR CFR § 41.43(a)(1) and MPEP § 1208.

**CONCLUSION**

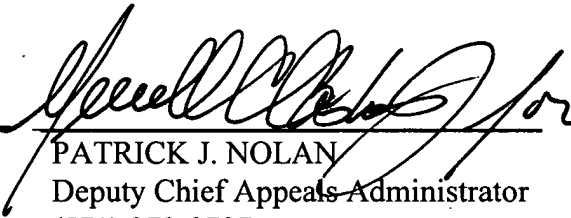
Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) consider the Reply Brief filed February 5, 2007 as indicated above; and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:

A handwritten signature in black ink, appearing to read "Patrick J. Nolan", is written over a horizontal line.

PATRICK J. NOLAN  
Deputy Chief Appeals Administrator  
(571) 272-9797

PJN/tsj

cc: SHUMAKER & SIEFFERT, P. A.  
1625 RADIO DRIVE  
SUITE 300  
WOODBURY MN 55125